

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANIEL SCHAFFER,
Plaintiff

v.

COUNTY OF ALAMEDA, et al.,
Defendants

No. 06-0310 MMC

**ORDER RE: ROBERT ANDERSON'S
LETTER FILED JANUARY 9, 2009**

The Court is in receipt of claimant Robert Anderson's ("Anderson") letter, dated January 7, 2009 and filed by the Clerk of the Court on January 9, 2009. In his letter, Anderson states his late-submitted claim for payment from the settlement fund was denied by the claims administrator on the ground Anderson's claim was untimely. Anderson argues he is "entitle[d] to some of the settlement." The Court construes Anderson's letter as a motion to approve a late claim. See, e.g., In re Gypsum Antitrust Cases, 565 F.2d 1123, 1127-28 (9th Cir. 1977) (noting "district court [has] discretion to grant late claims").

The Court hereby DIRECTS class counsel to file a response to the instant motion, and to serve a copy thereof on Anderson, no later than February 20, 2009. (See Order and Judgment of Dismissal, filed November 26, 2007, ¶ 12 (providing Court retains jurisdiction over parties to administer settlement).) If Anderson wishes to file a reply to

1 class counsel's response, any such reply shall be filed and served on class counsel no later
2 than March 13, 2009.

3 **IT IS SO ORDERED.**

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5 Dated: January 30, 2009

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7 MAXINE M. CHESNEY
8 United States District Judge
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